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1636

Patent  
Attorney Docket 896034-605001US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Elizabeth K. Barber

Serial No.: 09/966,264

Filed: September 28, 2001

For: Gene Expression Control DNA  
Element and Associated Protein

)  
) **Group Art Unit: 1636**

)  
) **Examiner: Kaushal, Sumesh**

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Introductory Comments**

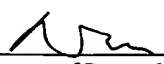
This communication is in response to a February 13, 2004 Office Action – reply date set for March 13, 2003 – and believed to be timely filed by March 15 (the following Monday for a Saturday due date). If, however, Applicants are in error, the Examiner is authorized to charge Jones Day's Deposit Account No. 50-2468 for any fees, including any extension of time fees, necessitated by this filing.

**CERTIFICATE OF MAILING**  
(37 C.F.R. § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 15, 2004  
Date of Deposit  
LAI-2099661v1

Rebekka C. Noll  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper